



STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

5587 Wa Pai Shone Avenue
CARSON CITY, NEVADA 89701
(775) 687-7678 FAX (775) 687-4911

BRIAN SANDOVAL
Governor

MICHAEL D. SHERLOCK
Executive Director

03/9/2016

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption, Amendment and Repeal

Of

**Regulations of the Commission on Peace Officer
Standards and Training**

PUBLIC COMMENT HEARING NOTICE: The Commission on Peace Officer Standards and Training ("the Commission") will hold a public hearing at 8:00 a.m., on May 5, 2016, at the Peace Officer Standards and Training, Classroom 2, 5587 Wa Pai Shone Avenue, Carson City, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment and repeal of regulations that pertain to Chapter 289 of the Nevada Administrative Code (NAC).

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. A statement of the need for and purpose of the proposed regulations.

NRS Chapter 289 authorizes the Commission to adopt regulations setting the minimum standards for the certification, decertification and selection of peace officers. See NRS 289.510. The Commission has adopted regulations establishing the minimum standards required to issue a peace officer a Basic Certificate. See NAC 289.200. The proposed regulation will comply with the requirements in Senate Bill 147 by establishing a NAC regarding the minimum standards for training in effective responses to incidents involving dogs or where dogs are present.

The proposed regulations, referenced as LCB File No. R065-15, contain the following sections:

Section 1. Chapter 289 of NAC is hereby amended by adding thereto a new section to read as follows:

Training for a peace officer who is required, pursuant to section 1 of Senate Bill No. 147, chapter 120, statutes of Nevada 2015, at page 448, to be trained in effective responses to incidents involving dogs or where dogs are present must include, without limitation, the following minimum standards:

1. Differentiating between aggressive and nonthreatening dog behaviors;

2. Nonlethal methods of handling potentially dangerous dogs; and
 3. The role and capabilities of local animal control agencies.
2. **Either the terms, or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved. The proposed regulations, referenced as LCB File NO. R065-15, contain the following sections:**

Section 1. Chapter 289 of NAC is hereby amended by adding thereto a new section to read as follows:

Training for a peace officer who is required, pursuant to section 1 of Senate Bill No. 147, chapter 120, statutes of Nevada 2015, at page 448, to be trained in effective responses to incidents involving dogs or where dogs are present must include, without limitation, the following minimum standards:

1. Differentiating between aggressive and nonthreatening dog behaviors;
2. Nonlethal methods of handling potentially dangerous dogs; and
3. The role and capabilities of local animal control agencies.

Note: In this Notice below you will find details on how you can obtain a copy of the approved or revised text of the proposed regulation prepared by the Legislative Counsel.

3. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

(a) Both adverse and beneficial effects; and

(1) Adverse effects: None

(2) Beneficial effects:

The amendment to the regulations should lead to an increased level of awareness among peace officers employed by law enforcement agencies who may have incidents involving dogs or where dogs are present.

(b) Both immediate and long-term effects.

The immediate effects include an online training program at no cost to agencies. In the long term, peace officers, their agencies, and the communities they serve will benefit from an increased level of awareness among peace officers who may have incidents involving dogs or where dogs are present.

4. **The estimated cost to the agency for enforcement of the proposed regulation.**

The Commission does not project any extra costs for enforcement of the proposed regulations.

5. **A description of and citation to any regulations of other states or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

The proposed regulation does not overlap or duplicate any regulations of state, local or federal governmental agency regulating the same activity.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The proposed regulation is not required by federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provision.

There are no federal regulations that regulate the same activity.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

This regulation does not involve or establish fees.

Persons wishing to comment upon the proposed action of the Peace Officer Standards and Training Commission may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Michael Sherlock, Executive Director, POST Commission, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. **Written submissions must be received by the POST Commission on or before 5:00 pm on April 25, 2016.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Peace Officer Standards and Training Commission may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted, amended or repealed will be available at the POST Commission Administrative Offices, 5587 Wa Pai Shone Avenue, Carson City, 89701, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us>, the POST web site at <http://post.nv.gov> and at <https://notice.nv.gov>.

Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

The Notice of Hearing has been mailed to all criminal justice agencies on the Nevada POST mailing list and posted at the following locations:

CARSON CITY

Blasdel Building, 209 East Musser Street
Nevada State Library, 100 Stewart Street
Capitol Building, 101 N. Carson Street
NV POST, 5587 Wa Pai Shone Avenue

LAS VEGAS

Grant Sawyer State Building, 555 Washington Avenue

ELY

White Pine County Sheriff's Office, 1785 Great Basic Blvd

COUNTY LIBRARIES (MAIN BRANCHES)

CARSON CITY LIBRARY
900 NORTH ROOP STREET
CARSON CITY, NEVADA 89702

CHURCHILL COUNTY LIBRARY
553 SOUTH MAINE STREET
FALLON, NEVADA 89406

LAS VEGAS-CLARK COUNTY
833 LAS VEGAS BLVD - NORTH
LAS VEGAS, NEVADA 89101

DOUGLAS COUNTY LIBRARY
1625 LIBRARY LANE
MINDEN, NEVADA 89423

ELKO COUNTY LIBRARY
720 COURT STREET
ELKO, NEVADA 89801

ESMERALDA COUNTY LIBRARY
FOURTH AND CROOK STREETS
GOLDFIELD, NEVADA 89013

EUREKA COUNTY LIBRARY
10190 MONROE STREET
EUREKA, NEVADA 89316

HUMBOLDT COUNTY LIBRARY
85 EAST 5TH STREET
WINNEMUCCA, NEVADA 89445

LANDER COUNTY LIBRARY
625 BROAD STREET
BATTLE MOUNTAIN, NEVADA 89820

LINCOLN COUNTY LIBRARY
93 MAIN STREET
PIOCHE, NEVADA 89043

LYON COUNTY LIBRARY
20 NEVIN WAY
YERINGTON NEVADA 89447

MINERAL COUNTY LIBRARY
FIRST AND A STREETS
HAWTHORNE, NEVADA 89415

TONOPAH LIBRARY DISTRICT
167 CENTRAL STREET
TONOPAH, NEVADA 89048

PERSHING COUNTY LIBRARY
1125 CENTRAL STREET
LOVELOCK, NEVADA 89419

STOREY COUNTY LIBRARY
95 SOUTH R STREET
VIRGINIA CITY, NEVADA

WASHOE COUNTY LIBRARY
301 SOUTH CENTER STREET
RENO, NEVADA 89520

WHITE PINE COUNTY LIBRARY
950 CAMPTON STREET
ELY, NEVADA 89301

NOTE: We are pleased to make reasonable accommodations for members of the public with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the POST Commission, in writing, at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701, or call Scott Johnston at (775) 687-7678, Extension 3335, no later than five working days prior to the meeting.

SEE ATTACHED COPIES OF THE PROPOSED REGULATIONS

PROPOSED REGULATION OF THE
PEACE OFFICERS' STANDARDS AND TRAINING
COMMISSION

LCB File No. R065-15

September 23, 2015

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 289.510 and section 1 of Senate Bill No. 147, chapter 120, Statutes of Nevada 2015, at page 448.

A REGULATION relating to peace officers; setting forth the minimum standards for training certain peace officers who are required to be trained in effective responses to incidents involving dogs or where dogs are present; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations setting forth the minimum standards for training peace officers who are required to be trained in effective responses to incidents involving dogs or where dogs are present. (Section 1 of Senate Bill No. 147, chapter 120, Statutes of Nevada 2015, at page 448) This regulation sets forth those minimum standards of training, including, without limitation, differentiating between aggressive and nonthreatening dog behaviors, nonlethal methods of handling potentially dangerous dogs and the role and capabilities of local animal control agencies.

Section 1. Chapter 289 of NAC is hereby amended by adding thereto a new section to read as follows:

Training for a peace officer who is required, pursuant to section 1 of Senate Bill No. 147, chapter 120, Statutes of Nevada 2015, at page 448, to be trained in effective responses to

incidents involving dogs or where dogs are present must include, without limitation, the following minimum standards:

- 1. Differentiating between aggressive and nonthreatening dog behaviors;*
- 2. Nonlethal methods of handling potentially dangerous dogs; and*
- 3. The role and capabilities of local animal control agencies.*